

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In Re: Curtis Wright : **Chapter: 13**
Debtor(s) : **Bankruptcy No: 19-11149**

ORDER CONFIRMING PLAN UNDER CHAPTER 13

AND NOW, this _____ upon consideration of the plan submitted by the debtor under chapter 13 of title 11 U.S.C. and the standing trustee's report which has been filed; and it appearing that:

- A. meeting of creditors upon notice pursuant to 11 U.S.C. 341 (a) and a confirmation hearing upon notice having been held;
- B. the plan complies with the provisions of 11 U.S.C. 1322 and 1325 and with other applicable provisions of title 11 U.S.C.;
- C. any fee, charge or amount required under chapter 13 of title 28 or by the plan, to be paid before confirmation, has been paid;
- D. U.S. Bank National Association, Not in Its Individual Capacity but Solely as Trustee for The CIM Trust 2018-NR1 Mortgage-Backed Notes, Series 2018-NR1, ("US BANK") filed an Amended Proof of Claim No. 2 for \$66,207.03 on 7/31/19;
- E. US BANK filed an Objection to Confirmation on 5/8/19, [docket #14](#);
- F. Curtis Wright filed an Objection to US Bank's Proof of Claim on 10/12/2020, [docket #65](#);
- G. US Bank filed a Response to the Objection on 11/13/2020, [docket #69](#);
- H. US BANK filed a Motion for Relief on 7/10/19, [docket #18](#);
- I. Curtis Wright filed a Response to the Motion for Relief on 8/6/2019, [docket #20](#);
- J. Both the Objection to Proof of Claim No. 2 and Motion for Relief were continued several times, resulting in a final cancellation of the Evidentiary Hearing on 5/4/2021, [docket #83](#);
- K. Curtis Wright was directed to file an Amended Plan that would resolve the Motion for Relief arrears and Objection to Proof of Claim;
- L. US BANK was directed to file an Objection to the Amended Plan if it did not agree with the Amended Plan figure;
- M. Curtis Wright filed a Third Amended Plan on 7/12/2021 and a Fourth Amended Plan to correct a technical error on 8/24/2021;
- N. The Third and Fourth Amended Plans pay \$64,000 to US BANK for pre-petition and post-petition arrears. Said plans also include the following non-standard language in Part 9:

POC no 2 - \$64,000 resolves debtor's objection to claim and lender's motion for relief. \$64,000 includes the total arrears owed pre-petition and post-petition

O. US BANK has not filed an Objection to the Amended Plan;

For the above reasons, it is hereby:

ORDERED that the Objection to Confirmation of Plan Filed by U.S. Bank National Association, Not in Its Individual Capacity but Solely as Trustee for The CIM Trust 2018-NR1 Mortgage-Backed Notes, Series 2018-NR1, docket no 14 is hereby OVERRULED.

ORDERED that the amount listed in the Plan of \$64,000 controls and is the total amount owed pre-petition and post-confirmation as of the date of this Order.

ORDERED that the Plan resolves the Motion for Relief and Objection to Proof of Claim.

ORDERED that the plan is CONFIRMED.

Date: September 29, 2021



ASHELY M. CHAN,
United States Bankruptcy Judge